

DELAWARE COUNTY COMMISSIONER'S MEETING

Monday, October 5, 2020 @ 9:00 A.M.

COMMISSIONER'S COURTROOM

100 W. MAIN ST.

MUNCIE, IN 47305

QUESTIONS MAY BE DIRECTED TO COMMISSIONERS @CO.DELAWARE.IN.US

PLEDGE TO FLAG

Mr. Shannon Henry

Mr. James King

Ms. Sherry Riggin

Mr. John Brooke, County Attorney

Mr. Steve Craycraft, Auditor

PUBLIC HEARING

TAX SALE CERTIFICATES

Mr. Bill Walter, ECI Planning District, said the three (3) parcels that ECI have interest in are on Gilbert and where the City Machine properties. ECI is requesting these properties through an EPA grant.

Ms. Joy Rediger, Urban Light Community Development, presented necessary documents for 501 east Willard, Muncie, IN. Urban Light Community Development is interested in partnering with Industry Neighboring Association for this parcel. This property would be used to beautify the corner/gateway.

Mr. John Brooke, County Attorney, said both organizations submitted necessary documents for requested parcels.

MOTION: Commissioner Riggin made a motion to close the Public Hearing.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggin, President Henry

APPOINTMENTS

MOTION: Commissioner Riggin made a motion to appoint Ms. Charlotte Anthony to the Delaware County Fair Board.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggin, President Henry

APPROVAL OF MINUTES

MOTION: Commissioner King made a motion to approve September 21 and September 29, 2020, Special Meeting Commissioner Minutes.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

PRESENTATIONS
UNITED WAY KICK-OFF

Ms. Alisa Wells, Ivy Tech, is co-chairing with Mr. Jeff Scott, Ivy Tech for 2020 United Way Campaign. Bold Gold is an important investment to young people along with many organizations that United Way helps. None of money given to United Way in this area goes to administrators' salary. COVID has hit Delaware County hard, Ms. Wells said she is aware of this so any amount that is donated counts. An example of United Way is a \$25 one time donation to Dolly Parton Imagination Library would provide one child a new book for a year. A one-time donation can be pledged. Ms. Wells asked that Delaware County employees take part in the United Way Campaign.

Commissioner Riggins said employee payroll deduction would help those giving toward the United Way campaign. Commissioner Riggins is working toward getting a team placed for the United Way campaign.

VETERANS AFFAIRS

Mr. Nate Jones, Veterans Director, introduced two new employees, Mr. Bruce Smith and Mr. Devin Hamilton.

Mr. Jones received word about a 77-year-old Veteran and his living conditions. At the time, the conditions of his home was unknown, however Mr. Jones quickly learned that COVID hit hard for the Veteran. He lost his job and for the last year he was living without electricity, water, heat and trash-pick-up. The Delaware County Health Department was going to condemn his home. Delaware County local contractors and Area Career Center students will be helping on the project. Mr. Jones and Veterans are rebuilding the home.

So far, Jones said to date they have raised \$30,000 to \$35,000.

Mr. Jones asked Mr. John Brooke, County Attorney, to review the Muncie Community Schools contract before student start work.

CONTRACTS OR AGREEMENTS FOR APPROVAL
DELAWARE COUNTY SAMSON TOWER / UPS REPLACEMENT

Mr. Bruce Dunn, Sheriff Department/911 Radio Maintenance, provided information for the battery back-up system. The current unit is failing and parts cannot be found. The VERTIV quote was presented for \$24,972.

MOTION: Commissioner King made a motion to approve Samson Town site/UPS Replacement with VERTIV.

SECOND: Commissioner Riggins

YEAS: Commissioner King, Commissioner Riggins, President Henry



ORIGINAL

COMPANY:	DELAWARE COUNTY SHERIFF	PROPOSAL #:	Q03137852
ATTN:	BRUCE DUNN	PAGES:	7
FAX:		DATE:	Aug 14, 2020
FROM:	MATT COSGROVE		
PROJECT:	DELAWARE COUNTY SAMSON TOWER - UPS REPLACEMENT-3137852		

We are pleased to provide our quotation for the following Liebert APS UPS System:

One (1) Liebert APS Model AS5B1NCWGNX852 rated at 10 kVA/9.0 kW with 54 minutes backup time.

Each System is comprised of the following features/accessories:

- On-line double conversion design with a true sine wave output
- N+x parallel redundancy to provide a fault tolerant network of power protection for continuous systems availability
- Quoted model is configured Non-redundant
- Input and output noise suppression
- Main input, output, and internal maintenance breaker
- Input power factor 0.99
- 6 hour battery recharge time to 90% capacity
- Fault tolerant microprocessor-based control and monitoring
- Low voltage distortion output inverter
- Flame-retardant, Sealed valve regulated batteries
- LCD display module with mimic diagram of power flow and provides digital metering, event logging, user customize-able set points (low battery alarm, battery test, auto-restart delay, display language)
- All modules are hot-swappable to provide maximum system flexibility and availability
- Casters and leveling feet
- WEEE, REACH, and RoHS (6 by 6) compliant
- UPS frame is designed for maximum of 15 kVA, 208/120V, 60 Hz, L-L-N-PE
- UL 1778 4th Edition, c-UL, Listed

Matching Battery Cabinet to house the Intelligent Battery modules in order to provide the required back-up time;

- (1) External Battery Cabinet, Model Number AS7EBC7CCUBXC6J

- (1); P/N: APSEBCCBL1M; 1 meter Pluggable Battery Cable for connection between the External Battery cabinets and/or the Liebert APS UPS cabinet.
- 54 Mins at Full Load/9 KW
- (1) External Maintenance Bypass Cabinet; Model Number NMBHW41, rated for 15 kVA, 100A
- MBC is designed for wall mounting
- MBC is UL, cUL Listed
- Isolating switch controls input power to UPS
- Terminal blocks for hardwired input and output
- Spring loaded, high speed manual transfer switch
- Power indicators
- Support for lockout/tagout programs
- Unit dimensions: 26" H x 19" W x 12" D
- Unit weight: 50 lbs
- One (1) IS-UNITY-SNMP: IntelliSlot Unity Card. The card manages a wide range of operating parameters, alarms and notifications, transmitting data over the network.

Maintenance Bypass Cabinet

- Wall-Mount Maintenance Bypass Cabinet
- Break Before Make operation

UPS System Services Include:

Start-up service includes one site trip by a Liebert Services customer engineer after the unit has been installed. The site trip includes the following services for each system: non-powered inspection, unit electrical and operational checkout, full parts and labor for any work required on the unit, and basic customer operation training. Start-up also provides the customer with a guaranteed 6 hour on-site response for emergency service and includes onsite labor, parts, and travel for the full two-year warranty period.

- Warranty Inspection Start-Up to be provided on a 7 day by 24 hour basis

Total Price Including Freight but NOT TAX

USD \$24,972.00

Additional Options:

- Add a 4.5kw redundant internal power module: Add \$1,858.00
- Power Assurance Package: Add \$6,895.00
 - 5 Year Parts and Labor Coverage (3 Years in addition to standard 2 year warranty)
 - Factory Start-Up
 - 24 Hour Emergency Service

Terms & Conditions:

- Quotation Valid for 30 days
- Price does not include tax
- Terms are Net 30 Days, subject to manufacturer's approval

- **INFORMATION TO BUYER:** This order between the Buyer and Seller is limited to Seller's Terms and Conditions located at <http://termsconditions.vertivco.com/> unless a formal agreement governing this Purchase Order/transaction has been executed by the parties, in which case the Terms and Conditions of the signed agreement shall govern. Seller hereby objects to all Buyer's terms and conditions received by Seller and/or issued by Buyer.

- **Taxes.** Any current or future tax, duty, tariff or governmental charge (or increase in same) affecting Seller's costs of production, sale, services or delivery or shipment of Goods Parts, and/or Software, or which Seller is otherwise required to pay or collect in connection with the sale, purchase, delivery, performance, storage, processing, use or consumption of Goods, Parts, and/or Software, shall be for Buyer's account and shall be added to the price or billed to Buyer separately, at Seller's election.

- Please address Purchase Orders to:
Fuller Engineering
4135 W 99th Street
Carmel, IN 46032

Matt Cosgrove 8/14/2020

MATT COSGROVE
Account Representative

Full signed contract available in Auditors office

5 Commissioners meeting October 5, 2020

2021 COMMISSIONERS MEETING SCHEDULE

MOTION: Commissioner King made a motion to approve 2021 Commissioners meeting schedule.

SECOND: Commissioner Riggin

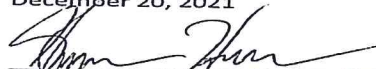
YEAS: Commissioner King, Commissioner Riggin, President Henry

2021 Commissioners' Meetings
Meetings start at 9:00 a.m.
In the Commissioners' Courtroom
Room 309A
Delaware County Building
100 W. Main Street
Muncie, IN 47305

ORIGINAL

Monday	January 4, 2021
Tuesday	January 19, 2021 (Holiday)
Monday	February 1, 2021
Tuesday	February 16, 2021 (Holiday)
Monday	March 1, 2021
Monday	March 15, 2021
Monday	April 5, 2021
Monday	April 19, 2021
Monday	May 3, 2021
Monday	May 17, 2021
Monday	June 7, 2021
Monday	June 21, 2021
Tuesday	July 6, 2021 (Holiday)
Monday	July 19, 2021
Monday	August 2, 2021
Monday	August 16, 2021
Tuesday	September 7, 2021 (Holiday)
Monday	September 20, 2021
Monday	October 4, 2021
Monday	October 18, 2021
Monday	November 1, 2021
Monday	November 15, 2021
Monday	December 6, 2021
Monday	December 20, 2021

Dated this 5 day of October, 2020


Shannon Henry, President


James King, Vice President


Sherry Riggin, Member

Attest: 
Steve Craycraft, Auditor

COWAN ROAD BID TABULATION

President Henry and Mr. Brooke said their understanding is Redevelopment Commission is going to fund the project at Cowan Road.

MOTION: Commissioner Riggin made a motion to send the Cowan Road bid tabulation to Redevelopment Commission.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Riggin, President Henry

5TH REVISED EDIT PLAN

Mr. Brooke presented the 5th revised EDIT Plan. Moving in and out projects/sources.

Commissioner Riggin asked if project 19 was the only change.

Mr. Brooke said yes, the YOC project.

MOTION: Commissioner Riggin made a motion to approve 5th Revised EDIT Plan.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggin, President Henry

**FIFTH REVISED
ECONOMIC DEVELOPMENT INCOME TAX
CAPITAL IMPROVEMENT PLAN OF DELAWARE COUNTY
JULY 1, 2019 THROUGH JUNE 30, 2022**

 **ORIGINAL**

INTRODUCTION:

This Plan is intended for adoption by the Board of Commissioners of Delaware County in conformance with Ind. Code § 6-3.5-7-1 *et seq.* It is intended to create the Commissioners' three-year plan from July 1, 2019 through June 30, 2022. This Plan will cover only the projects for which distributions have been certified. This Plan should not be considered as final approval for expenditures on any of these specific projects. The timing of performance of each project and final approval of release of funds must be obtained by specific application to the Delaware County Board of Commissioners.

STATUS OF CAPITAL PROJECTS UNDER ORIGINAL PLAN:

Certain Capital Projects described in the Commissioners prior plans have been completed.

BOND ISSUES:

Under existing bond issues, EDIT revenues are committed at the annual amount of approximately \$978,000.00, payable in June and December of each year at the rate of approximately \$489,000.00 per payment. In addition, there is one final payment in the amount of \$30,600.00 due in December, 2013, to pay off the 2004 bond issue.

PROJECTS:

Project 1 -	Bond Issues	\$683,235.00 for 2019
		\$1,363,896.25 for 2020
		\$393,432.60 for 2021
		\$200,433.75 for 2022

Description of Project: This project concerns the payment of obligations incurred over the course of time for bonds and projects prior to July 1, 2019. 2013 Bond for various projects payable semi-annually at amounts set forth in the schedule and 2014 Bond for various projects payable semi-annually at amounts set forth in the schedule. The 2013 Bond will be retired at the end of 2020.

Project 2 -	Delaware County Justice Center and Jail	\$ 0.00 for 2019
		\$ 0.00 for 2020
		\$3,214,193 for 2021
		\$1,607,560 for 2022

Description of Project: The renovation and construction of a new justice center Courthouse and jail complex at 3100 S. Tillotson, Muncie, IN 47302, payments for which are scheduled to begin in July 2021.

Project 3 -	Delaware County Redevelopment Commission	\$225,000.00 for 2019
		\$400,000.00 for 2020

Description of Project: Annual payment to the Delaware County Redevelopment Commission for operating expenses, salaries and other expenses of the Commission that are not reimbursable from Redevelopment projects/funds

Project 4 -	Economic Development:	Complete
Project 5 -	Town of Albany	Complete
Project 6 -	Town of Yorktown:	Complete
Project 7 -	Town of Eaton	Complete
Project 8 -	Town of Selma	Complete
Project 9 -	Town of Daleville	Complete
Project 10 -	Town of Gaston	Complete
Project 11 -	Building Upgrade and/or Maintenance:	\$ 93,500.00 for 2019 \$467,000.00 for 2020 \$167,000.00 for 2021 \$ 83,500.00 for 2022

Description of Project: Building maintenance, upgrades and repairs to existing County buildings in Delaware County, including maintenance and upgrades to the County's telecommunication system.

Project 12 -	Brownfield Remediation	\$ 1,000.00 for 2019
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Description of Project: Economic development funding assistance for costs associated with grant monies and/or removal of contaminants on real property.

Project 13 -	Delaware County Fairgrounds	\$50,000.00 for 2019 \$50,000.00 for 2020
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Description of Project: Assistance with broad visioning planning session for future uses of the fairgrounds and facilities and related maintenance and improvements to fairground facilities.

Project 14 -	Bridge #141 (Tiger Drive):	Complete
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Project 15 -	Bridge #161 (Smithfield):	Complete
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Project 16 -	IT Software Maintenance and Equipment:	\$125,000.00 for 2019 \$275,000.00 for 2020
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Description of Project: The purchase and maintenance of software and hardware utilized by the County Information Technology Department.

Project 17 -	CANCELLED	
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Project 18 -	Animal Control	\$ 75,000.00 for 2019 \$150,000.00 for 2020 \$150,000.00 for 2021 \$ 75,000.00 for 2022
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Project Description: Payment to the City of Muncie Animal Shelter to provide animal control services to unincorporated areas of the County as needed.

Project 19- Youth Opportunity Center

\$150,000.00 for 2019
\$550,000.00 for 2021
\$275,000.00 for 2022

Description of Project: The contractual obligation amount to the Youth Opportunity Center for the remainder of 2019.

Project 20-Attorney Fees

\$30,000.00 for 2019
\$30,000.00 for 2020
\$30,000.00 for 2021
\$30,000.00 for 2022

Project Description: Attorney fees related to the creation, amendment and maintenance of the EDIT plan on an annual basis.

Project 21-Public Safety and Public Health

\$500,000 for 2020
\$500,000 for 2021
\$500,000 for 2022

Project Description: The COVID-19 pandemic has caused a significant increase in the need for public safety and public health issues. The State of Indiana has received a grant from the federal government to help fund some of these expenses, but there is reliance on local government to also locate and fund COVID-19 related expenses for public safety and public health.

SEVENTY-FIVE PERCENT (75%) TEST:

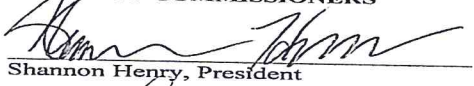
In accordance with Ind. Code § 6-3.5-7-15, this Plan incorporates projects, the costs of which when taking into consideration funds already pledged for repayment of obligations from prior Projects, are at least seventy-five (75%) of the certified distribution the County expects to receive during the term of the Plan.

THIS ECONOMIC DEVELOPMENT INCOME TAX CAPITAL IMPROVEMENT PLAN OF DELAWARE COUNTY, INDIANA FOR JULY 1, 2019 THROUGH JUNE 30, 2021 IS HEREBY ADOPTED ON THIS, THE 31st DAY OF ~~SEPTEMBER~~, 2020.

*OK'd
Per Jeni Honeycutt
to change date
OK S*

October

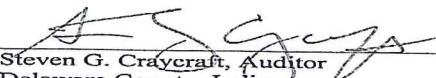
**DELAWARE COUNTY, INDIANA
BOARD OF COMMISSIONERS**


Shannon Henry, President


Sherry Riggins, Commissioner


James King, Commissioner

ATTEST:


Steven G. Craycraft, Auditor
Delaware County, Indiana

RESOLUTIONS FOR APPROVAL .

**A RESOLUTION OF THE DELAWARE COUNTY, IN BOARD OF COMMISSIONERS RESCINDING
RESOLUTION 2020-34 AND APPROVING JOINT UNDERTAKING AGREEMENT, PLEDGING
INCREMENT TO THE DALEVILLE REDEVELOPMENT COMMISSIONERS AND AUTHORIZING
EXECUTION OF DOCUMENTS
RESOLUTION 2020-037**

Mr. Brooke said this is for a clean-up of Resolution 2020-034 that was already approved with the joint undertaking with Redevelopment Commission for a project in Daleville, Indiana. There were changes made to the project and this clears up the amount of money going out.

Commissioner Riggin asked what were the changes to Resolution 2020-034.

Mr. Brooke said there were changes in the document that needed to be done for the project total.

Commissioner King said the funding is being funded out of Daleville's Tax Increment Fund (TIF).

MOTION: Commissioner Riggin made a motion to approve Resolution 2020-037 and Approving Joint Undertaking Agreement, Pledging Increment to the Daleville Redevelopment Commissioners and Authorizing Execution of Documents.

SECOND: Commissioner King

YEAS: Commissioner Riggin, President Henry

ABSTAIN: Commissioner King

RESOLUTION NO. 2020-037

A RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS RESCINDING RESOLUTION 2020-034 AND APPROVING JOINT UNDERTAKING AGREEMENT, PLEDGING INCREMENT TO THE DALEVILLE REDEVELOPMENT COMMISSION, AND AUTHORIZING EXECUTION OF DOCUMENTS

WHEREAS, pursuant to Resolution No. 2019-05, the Town Council of the Town of Daleville, Indiana (the "Town Council"), adopted the provisions of Ind. Code §5-23, *et seq.* (the "BOT Statute"), and authorized the issuance of a request for proposals to develop, design, and construct a town hall and police station (the "BOT Project");

WHEREAS, pursuant to Resolution 2019-11, and in accordance with the requirements of the BOT Statute, the Town Council awarded the development, design, and construction of the BOT Project to Daleville Police Station Partners, LLC (the "Developer"), and authorized the negotiation and execution of a build-operate-transfer agreement (the "BOT Agreement"), compliance with which will be subject to: (a) approval by the Delaware County Board of Commissioners (the "County Board") and the Delaware County Redevelopment Commission (the "County RDC") of a pledge of financial support adequate to pay all installment payments payable by the Town of Daleville, Indiana (the "Town") pursuant to the BOT Agreement (the "BOT Payments"); and (b) the actual pledge of such adequate financial support to the Daleville Redevelopment Commission (the "Daleville RDC");

WHEREAS, the Town Council submitted to the County Board and the County RDC a proposal for the joint undertaking of the BOT Project pursuant to Ind. Code §36-7-25-4 (the "Joint Undertaking Statute");

WHEREAS, each of the County Board (pursuant to Resolution 2020-003) and the County RDC (pursuant to Resolution 2020-002) determined it to be in the best interests of Delaware County, Indiana, to work jointly with the Town on economic and quality of life projects;

WHEREAS, pursuant to Resolution 2020-003, the County Board designated the County RDC as the appropriate entity to enter into discussions with the Daleville RDC for the purposes of agreeing to the terms and conditions on which the BOT Project will be undertaken jointly, which terms and conditions would be subject to the approval of the Town Council and the County Board;

WHEREAS, pursuant to Resolution 2020-002, the County RDC agreed to engage in such discussions, subject to the requirement that it would execute a joint agreement with the Daleville RDC only upon the specific determination that the BOT Project will serve or benefit the allocation areas within the "Daleville Redevelopment Area" (the "Allocation Area");

WHEREAS, having made the required determinations, the County RDC and the Daleville RDC proceeded to agree on the terms and conditions of an agreement pursuant to which the BOT Project will be undertaken jointly, as permitted pursuant to the Joint Undertaking Statute (the "Joint Undertaking Agreement");

WHEREAS, the Joint Undertaking Agreement requires: (a) the Town to enter into the BOT Agreement; (b) the County Board to pledge to the Daleville RDC the increment generated in the Allocation Area (the "County Increment"); provided that: (i) the annual amount pledged to the Daleville RDC for a given year shall be capped at the amount required to pay the BOT Payments for such year; and (ii) the aggregate amount pledged to the Daleville RDC shall be capped at \$4,300,000.00 (collectively, the "County Increment Cap"); (c) the County RDC to confirm the pledge of the County Increment (subject to the County Increment Cap) by the County Board, and, to the extent permitted pursuant to Ind. Code §36-7-14-39, to further pledge the County Increment (subject to the County Increment Cap) to the Daleville RDC; and (d) the Daleville RDC to: (i) accept the County Increment, capped at the County Increment Cap (such amount, the "Pledged Revenue"); and (ii) pledge the Pledged Revenue received by it to the payment of the BOT Payments for the term of the BOT Agreement;

WHEREAS, pursuant to the Joint Undertaking Statute, the County Board has the authority to pledge the County Increment to the Daleville RDC, notwithstanding that the BOT Project will not be constructed in the Allocation Area;

WHEREAS, to provide funds for the payment of costs and expenses that will be incurred in connection with the development, design, and construction of the BOT Project, including those incurred in connection with finalizing the required documentation, the Town, the Developer, a lender selected by the Developer and acceptable to the Town, and, as applicable, the Daleville RDC, the County Board, and/or the County RDC, will enter into a participation and purchase agreement (the "Participation Agreement") pursuant to which the Developer will absolutely assign to such lender its right to receive the BOT Payments;

WHEREAS, contemporaneously herewith, the Town Council, the Daleville RDC, and the County RDC are adopting resolutions approving, and authorizing the execution of, the Joint Undertaking Agreement;

WHEREAS, contemporaneously herewith, the Town Council is adopting a resolution: (a) confirming the award of the BOT Project to the Developer; and (b) approving, and authorizing the execution of, the BOT Agreement and the Participation Agreement

WHEREAS, contemporaneously herewith, the County RDC is adopting a resolution: (a) approving, and authorizing the execution of, the Participation Agreement; (b) confirming the pledge of the Pledged Revenue by the County Board; and (c) to the extent permitted pursuant to Ind. Code §36-7-14-39, pledging the Pledged Revenue to the Daleville RDC for further pledge to the payment of BOT Payments;

WHEREAS, contemporaneously herewith, the Daleville RDC is adopting a resolution: (a) approving, and authorizing the execution of, the Participation Agreement; (b) accepting the Pledged Revenue from the County Board and as applicable, the County RDC; and (c) pledging the Pledged Revenue to the payment of the BOT Payments; and

WHEREAS, the County Board now desires to: (a) approve, and authorize the execution of, the Joint Undertaking Agreement, the Participation Agreement, and any other documents or

instruments necessary to close on the transaction contemplated in the BOT Agreement (collectively, the "Transaction Documents"), as each is finalized and approved by (the "Authorized Individual"); and (b) and pledge the Pledged Revenue to the Daleville RDC in accordance with the Joint Undertaking Statute for further pledge by the Daleville RDC to the payment of the BOT Payments.

NOW, THEREFORE, BE IT RESOLVED BY THE DELAWARE COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

1. **Document Authorization.** The County Board: (a) approves the Joint Undertaking Agreement in substantially the form currently approved by the Authorized Individual; (b) approves the remainder of the Transaction Documents in substantially the form finalized pursuant to the Joint Undertaking Agreement; (c) authorizes the Authorized Individual to agree to changes to the Transaction Documents made after the date hereof, so long as such changes are consistent with this Resolution and are deemed by the Authorized Individual to be appropriate; and (d) authorizes the execution and delivery of the finalized Transaction Documents on behalf of the County Board by the Authorized Individual.
2. **Pledged Revenues.** As permitted pursuant to the Joint Undertaking Statute, the County Board pledges the Pledged Revenue to the Daleville RDC for further pledge by the Daleville RDC to the payment of BOT Payments, which pledge shall be binding from the time this Resolution is adopted.
3. **No Parity Obligations.** The County Board shall not: (a) authorize and issue bonds or other obligations payable from the Pledged Revenue; and/or (b) pledge the Pledged Revenue to secure payment of other obligations. The foregoing shall not have any effect on the right of the County Board to authorize and issue bonds or other obligations payable from sources other than the County Increment; provided that no such obligation shall cause the County Board to exceed its debt limitation under Article 13, Section 1, of the Indiana Constitution.
4. **Other Actions.** The Authorized Individual and the officers of the County Board hereby are authorized to take any and all actions, including executing and delivering any documents or certificates, that the Authorized Individual or any such officer deems to be necessary or reasonably appropriate to effect the resolutions set forth herein. Any such actions taken, including any documents or certificates executed and delivered, hereby are ratified, confirmed, and approved.
5. **No Conflict.** Resolution 2020-034 adopted by the County Board at a regularly scheduled public meeting held on September 8, 2020 is hereby rescinded in its entirety and shall be replaced with the terms and provisions stated herein. All other ordinances, resolutions, and orders (or parts thereof) that conflict with the provisions of this Resolution hereby are repealed to the extent of such conflict. After the issuance of the BOT Agreement, and until all BOT Payments have been paid (or prepaid) in full, and except as expressly provided herein: (a) this Resolution shall not be repealed or amended; and (b) the County Board shall not adopt any ordinance or resolution that in any way adversely affects this Resolution.
6. **Severability.** If any section, paragraph, or provision of this Resolution is held to be invalid or unenforceable for any reason, then the invalidity or unenforceability of such section, paragraph,

or provision shall not affect any of the remaining provisions of this Resolution.

7. **Effectiveness.** This Resolution shall be in full force and effect from and after its passage.

PASSED AND ADOPTED by the Board of Commissioners of Delaware County at a regularly scheduled public meeting held on 5 October, 2020, by a vote of ___ ayes and ___ nays.

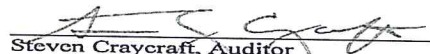
BOARD OF COMMISSIONERS OF
DELAWARE COUNTY, INDIANA


Shannon Henry, President


Sherry Riggins, Commissioner


James King, Commissioner

ATTEST:


Steven Craycraft, Auditor
Delaware County, Indiana

A RESOLUTION OF THE DELAWARE COUNTY, IN BOARD OF COMMISSIONERS MAKING A FINAL
DETERMINATION TO ASSIGN A TAX SALE CERTIFICATES
TO NONPROFIT ENTITIES PURSUANT TO IN CODE 6-1.1-24-6.7
RESOLUTION 2020-038

Mr. Brooke said Resolution 2020-038 is to approve the transfer certificates to ECI Planning District and Urban Light Community Development.

MOTION: Commissioner King made a motion to approve Resolution 2020-038, a Resolution of the Delaware County, IN Board of Commissioners Making a Final Determination to Assign a Tax Sale Certificates.

SECOND: Commissioner Riggan

YEAS: Commissioner King, Commissioner Riggan, President Henry

ORIGINAL

RESOLUTION NO. 2020-038

A RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS MAKING A FINAL DETERMINATION TO ASSIGN A TAX SALE CERTIFICATES TO NONPROFIT ENTITIES PURSUANT TO IND. CODE § 6-1.1-24-6.7

WHEREAS, Ind. Code § 6-1.1-24-6.7 sets out the procedures the Board of Commissioners may utilize to assign a tax sale certificate to a nonprofit entity; and

WHEREAS, the Board of Commissioners previously adopted Resolution No. 2020-036, which identified tax sale certificates for which the Board of Commissioners now desires to assign to nonprofit entities for use for the public good; and

WHEREAS, the tax sale certificates the Board of Commissioners desires to assign to nonprofit entities for use for the public good are identified in Resolution 2020-036; and

WHEREAS, the Board of Commissioners accepted written applications from eligible nonprofit entities and, on October 5, 2020, conducted a public hearing to consider all applications and hear any opposition to a proposed assignment of the identified tax sale certificates; and

WHEREAS, having considered the submitted applications and public comments presented at the public hearing, the Board of Commissioners now desires to make a final determination on the assignment of the identified tax sale certificates.

IT IS THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA THAT:

SECTION 1. Having received and considered the applications from nonprofit entities, copies of which are attached hereto, the Board of Commissioners issues the final determinations described in Exhibit A, attached hereto, regarding the proposed assignment to nonprofit entities of the tax sale certificates identified in Resolution 2020-036.

SECTION 2. The assignment of the identified tax sale certificates shall be completed according to the specific terms and conditions described in the Commissioners' final determination for each tax sale certificate.

SECTION 3. If the assignee nonprofit entity fails to comply with the terms and conditions of the Commissioners' final determination, the applicable tax sale certificate shall revert to Delaware County to be retained or disposed of by the Board of Commissioners.

Resolution No. 2020-038

SECTION 4. The President of the Board of Commissioners is hereby authorized to execute all documents necessary to carry out the terms of this Resolution.

PASSED AND ADOPTED ON THIS, THE 5 DAY OF Oct, 2020
BY THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS.

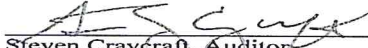
BOARD OF COMMISSIONERS OF
DELAWARE COUNTY, INDIANA


Shannon Henry, President


Sherry Riggan, Commissioner


James King, Commissioner

ATTEST:


Steven Craycraft, Auditor
Delaware County, Indiana

Resolution No. 2020-038

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Full signed documents available in Auditors office

20 Commissioners meeting October 5, 2020

A RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS CONCERNING
CUMULATIVE BRIDGE TAX LEVY
RESOLUTION 2020-039

Mr. Brooke said this is concerning Cumulative Bridge Tax Levy rates.

MOTION: Commissioner King made a motion to approve Resolution 2020-039, Concerning Cumulative Bridge Tax Levy.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

ORIGINAL

RESOLUTION NO. 2020- 039

RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS
CONCERNING CUMULATIVE BRIDGE TAX LEVY

WHEREAS, the Delaware County Board of Commissioners (hereinafter, the "Commissioners") adopted an ordinance to increase the possible tax levy for the Cumulative Bridge Fund pursuant to I. C. 8-16-3-1 et. seq.; and

WHEREAS, the Delaware County Council has gone through the budget process for the County and determined that the funds that would be gathered for the cumulative bridge fund, given the nature of the pandemic fiscal impact on local government, would be better served to reduce the cumulative bridge rate to the existing rate; and

WHEREAS, the Board of Commissioners also recognize that the demands for county services from the general fund have been exacerbated as a result of the pandemic and offer to the County Council to keep the existing rate for the cumulative bridge tax at \$.057 per one hundred dollars (\$100) of taxable real and personal property within the taxing unit for 2021.

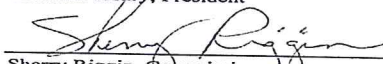
NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA:

The Delaware County Board of Commissioners hereby concur that the cumulative bridge tax rate for the county should remain at \$.057 per one hundred dollars (\$100) of taxable real and personal property within the taxing unit for 2021.

DULY ADOPTED by the Board of Commissioners of Delaware County at a duly noticed public meeting held on this, the 5 day of October, 2020.


DELAWARE COUNTY
BOARD OF COMMISSIONERS


Shannon Henry, President


Sherry Riggin, Commissioner


James King, Commissioner

ATTEST:


Steven Craycraft, Auditor
Delaware County, Indiana

MONTHLY/WEEKLY REPORTS

PAYMENTS OF CLAIMS

MOTION: Commissioner King made a motion to payment of claims in the amount of \$3,336,476.73.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

PUBLIC COMMENTS, QUESTIONS, OTHER BUSINESS & DISCUSSION

None

RECESS

MOTION: Commissioner King made a motion to recess until October 19, 2020.

SECOND: Commissioner Riggin


YEAS: Commissioner King, Commissioner Riggin, President Henry



President, Mr. Shannon Henry



Vice President, Mr. James King



Member, Ms. Sherry Riggin



Auditor, Mr. Steven G Craycraft